

CONGRESSIONAL RECORD SUMMARY

Wednesday, March 14, 2001

SENATE

Measures Introduced:

**S. 533.** A bill to provide for the *equitable settlement of certain Indian land disputes* regarding land in Illinois; to the Committee on Indian Affairs.

Durbin

Page S 2306

**S. 536.** *A bill to amend the Gramm-Leach-Bliley Act to provide for a limitation on sharing of marketing and behavioral profiling information, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs. (Privacy Issues)*

Shelby

Pages S 2306, S 2319

S. 420. Bankruptcy Reform:

*Senate continued consideration of S. 420, to amend title 11, United States Code, taking action on the following amendments proposed thereto:*

Pages S 2273-97, S 2299-S 2300, D 209

Adopted:

**Carnahan Amendment No. 40**, to ensure additional expenses associated with home energy costs are included in the debtor's monthly expenses.

Pages S 2273, S 2274, D 209

Rejected:

**Wyden Amendment No. 78**, to provide for the nondischargeability of debts arising from the exchange of electric energy. (By 67 yeas to 30 nays, 1 responding present (Vote No. 26), *Senate tabled the amendment.*)

Pages S 2273-6, D 209

**Smith (OR)/Wyden Amendment No. 95 (to Amendment No. 78)**, of a perfecting nature. (*Amendment No. 95 fell when Amendment No. 78 (listed above) was tabled.*)

Pages S 2273, S 2275, D 209

**Reid (for Durbin) Amendment No. 93**, in the nature of a substitute. (By 64 yeas to 35 nays, 1 responding present (Vote No. 27), *Senate tabled the amendment.*)

Pages S 2273, S 2288-91, S 2293-5, D 209

**Wellstone Modified Amendment No. 36**, to disallow certain claims and prohibit coercive debt collection practices. (By 58 yeas to 41 nays, 1 responding present (Vote No. 28), *Senate tabled the amendment.*)

Pages S 2273, S 2279-84, S 2291-3, S 2295-6, D 209

Withdrawn:

**Hatch Amendment No. 96 (to Amendment No. 93)**, of a perfecting nature.

Pages S 2288-90, D 209

Pending:

**Leahy Amendment No. 20**, to resolve an ambiguity relating to the definition of current monthly income.

Pages S 2273, S 2299, D 209

**Wellstone Amendment No. 35**, to clarify the duties of a debtor who is the plan administrator of an employee benefit plan.

Pages S 2273, D 209

**Kennedy Amendment No. 38**, to allow for reasonable medical expenses.

Pages S 2273, D 209

S. 420. Bankruptcy Reform (Cont'd.):

**Collins Amendment No. 16, to provide family fishermen with the same kind of protections and terms as granted to family farmers under chapter 12 of the bankruptcy laws.**

*Pages S 2273, D 209*

**Leahy Modified Amendment No. 41, to protect the identity of minor children in bankruptcy proceedings.**

*Pages S 2273, S 2299, D 209*

**Reid (for Breaux) Amendment No. 94, to provide for the reissuance of a rule relating to ergonomics.**

*Pages S 2273, D 209*

**Reid (for Leahy) Amendment No. 19, to correct the treatment of certain spousal income for purposes of means testing.**

*Pages S 2279, S 2297, D 209*

**During consideration of this measure today, Senate also took the following action:**

By 80 yeas to 19 nays, 1 responding present (Vote No. 29), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to close further debate on the bill.

*Pages S 2296-7, D 209*

**Leahy Amendment No. 20 (listed above)** was modified and then later the modification was vitiated.

*Page S 2299, D 209*

A unanimous-consent agreement was reached providing for votes to occur on **Reid (for Leahy) Amendment No. 19** and **Leahy Modified Amendment No. 41 (both listed above)**, beginning at 12 noon, on Thursday, March 15, 2001.

*Pages S 2299, D 209*

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m. on Thursday, March 15, 2001, with Senator Wellstone being recognized to offer certain amendments to be proposed thereto. Further, at 10:30 a.m., Senator Kohl will be recognized to offer an amendment relating to the Homestead provision, with a vote to occur thereon.

*Pages S 2299-S 2300, D 209-10*

### **Committee Meetings:**

**Committee on the Budget:** Committee concluded hearings to examine the President's proposed budget request for fiscal year 2002.

**Committee on Commerce, Science, and Transportation:** Committee concluded hearings to examine whether to extend the Internet Tax Freedom Act's moratorium on the ability of state or local governments to impose new sales taxes on Internet access services, or to impose new taxes on electronic commerce allowing states to require all remote sellers to collect and remit sales taxes on deliveries into that state.

*Page D 210*

**Committee on the Judiciary:** Committee held hearings on proposed legislation to reduce illegal drug use and trafficking and to help provide appropriate drug education, prevention, and treatment programs.

*Page D 211*

### **Committee Meetings Scheduled:**

**Committee on the Judiciary, 4/3/01 @ 10:00 a.m.** To hold hearings to examine online entertainment and related copyright law. SD-226.

**Committee on the Judiciary, 4/25/01 @ 10:00 a.m.** To hold hearings to examine the legal issues surrounding faith based solutions. SD-226.

*Page E 365*

### **Committee Meetings Scheduled (Cont'd.):**

**Committee on the Judiciary, 5/1/01 @ 10:00 a.m.** To hold hearings to examine high technology patents, relating to business methods and the internet. SD-226.

**Committee on the Judiciary, 5/8/01 @ 10:00 a.m.** To hold hearings to examine high technology patents, relating to genetics and biotechnology. SD-226.

Page E 365

**Remarks:**

**Racial Profiling.**

*"... I am pleased that the President and Members of his Cabinet recognize the gravity of this issue for all Americans. [ ] But we should do more. Once again, I call on President Bush to resubmit the nomination of Judge Ronnie White to serve as a U.S. District Court judge. I also call on the President publicly to support the nomination of Judge Roger Gregory to the Fourth Circuit Court of Appeals. These distinguished jurists deserve to sit on the Federal bench. And the effective administration of justice in America demands that the Federal courts, even the Fourth Circuit Court of Appeals, reflect the diversity of this Nation..."*

Feingold

Pages S 2270-2

Bankruptcy.

Bingaman

Pages S 2272-3

**HOUSE**

**Bills Introduced:**

**H.R. 10.** A bill *to provide for pension reform*, and for other purposes.

Portman

Page H 927

**H.R. 1014.** A bill *to prevent children from injuring themselves with handguns*; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Carson

Page H 927

**H.R. 1017.** A bill *to prohibit the unsolicited e-mail known as "spam"*; to the Committee on the Judiciary.

Goodlatte

Page H 927

**H.R. 1019.** A bill *to amend the Federal Election Campaign Act of 1971* to increase the penalties imposed for making or accepting contributions in the name of another and to prohibit foreign nationals from making any campaign-related disbursements; to the Committee on House Administration.

Burton

Pages H 927-8

**Bills Introduced (Cont'd.):**

**H.R. 1023.** A bill *to amend the Incentive Grants for Local Delinquency Prevention Programs Act* to authorize appropriations for fiscal years 2002 through 2007, and for other purposes; to the Committee on

**H.R. 1026.** A bill *to amend the Internal Revenue Code of 1986 to increase the annual limitation on deductible contributions to individual retirement accounts to \$5,000*, and for other purposes; to the Committee on Ways and Means.

Moore

Page H 928

**H.R. 1031.** *A bill to prohibit the use of Federal funds for certain amenities and personal comforts in the Federal prison system; to the Committee on the Judiciary.*

Simmons

Page H 928

**Suspensions:**

**The House agreed to suspend the rules and pass the following measures:**

**Antitrust Technical Corrections: H.R. 809**, to make technical corrections to various antitrust laws and to references to such laws.

*Pages H 888-89, D 212*

**Madrid Protocol Implementation: H.R. 741**, to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions.

*Pages H 889-93, D 212*

**Multidistrict, Multiparty, Multiforum Trial Jurisdiction: H.R. 860**, *to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and to provide for Federal jurisdiction of certain multiparty, multiforum civil actions.*

*Pages H 893-98, D 212*

**Intellectual Property and High Technology Technical Amendments: S. 320**, amended, to make technical corrections in patent, copyright, and trademark laws.

*Pages H 898-H 901, D 212*

**Vacating Arbitration Award Technical Amendments: H.R. 861**, to make technical amendments to section 10 of title 9, United States Code (passed by a yea and nay vote of 413 yeas with none voting "nay", Roll No. 49).

*Pages H 901-02, H 903, D 212*

**Committee Meeting for Thursday, March 15, 2001:**

**Committee on the Judiciary:** @ 10:00 a.m. Subcommittee on the Constitution, hearing on **H.R. 503**, Unborn Victims of Violence Act of 2001. 2237 Rayburn.

*Page D 215*

**Remarks:**

**The Introduction of the Anti-Spamming Act of 2001.**

*"...The Anti-Spamming Act would amend 18 U.S.C. Sec. 1030 [ ] to address fraudulent unsolicited electronic mail. It would add to the substantive conduct prohibited by 18 U.S.C. Sec. 1030(a), both the intentional and unauthorized sending of unsolicited e-mail that is known by the sender to contain*

*information that falsely identifies the source or routing information of the e-mail, and the intentional sale or distribution of any computer program designed to conceal the source or routing information of such e-mail. This legislation would subject those who commit such prohibited conduct to a criminal fine [ ] In addition, prohibited conduct that results in damage to a 'protected computer' (as defined in 18 U.S.C. Sec. 1030(e)(2)) would be punishable by a fine under Title 18 or by imprisonment for up to one year..."*

Goodlatte

Page E 360

Schoolyard Safety Act.

Dunn

Page E 356

**Multidistrict, Multiparty, Multiforum Trial Jurisdiction Act of 2001. (Includes a letter from the Director of the AO to Rep. Sensenbrenner, Chairman of the House Judiciary Committee)**

*"...We can short-circuit that problem by the type of consolidation that is being proposed in this bill. The administrative office of the U.S. courts and the multidistrict litigation panel of the judicial conference of the United States have supported this bill. They do not like to see an expansion of Federal jurisdiction, but they see this as necessary for the streamlining of the adjudication of these claims..."*

Sensenbrenner

Pages H 893-8

#### **NEW PUBLIC LAW**

***H.R. 559, to designate the United States courthouse located at 1 Courthouse Way in Boston, Massachusetts, as the "John Joseph Moakley United States Courthouse". Signed March 13, 2001. (Public Law 107-2).***

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**Next SENATE MEETING: Thursday, 9:30 a.m., March 15, 2001.**

**Next HOUSE MEETING: Thursday, 10:00 a.m., March 15, 2001.**

**OLA: S. Schwarz (Smith), J. Homanich**